



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Thursday, the Ninth day of July Two Thousand Fifteen  
PRESENT

**The Hon`ble Mr Justice K.KALYANASUNDARAM**

CRL OP(MD) No.12821 of 2015

WEB COPY

1 PERIYAPALSAMY @ PALSAMY  
2 KARUPPASAMY

... PETITIONERS/ACCUSED No.1 & 2

Vs

STATE REP.BY  
THE INSPECTOR OF POLICE  
AAVAIYUR POLICE STATION,  
CRIME NO.109/2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.L.MADHUSUDHANAN Advocate

For Respondent : MR.K.V.RAJARAJAN, Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.  
ORDER : The Court Made the following order :-

The petitioners, who are arrayed as accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 447, 294(b), 323, 324, 506(ii) and 427 of the Indian Penal Code in Crime No.109 of 2015, on the file of the respondent police and hence, seek anticipatory bail.

2. According to the defacto complainant, the petitioners along with other accused trespassed into the defacto complainant's property and caused damage to the electric motor, pump set and wires to the tune of Rs.30,000/-.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He has further submitted that one Thiruppathy Venkatachalapathy has filed a suit before the Sub Court, Aruppukottai in O.S.No.30 of 2013 against the petitioners and defacto complainant seeking specific performance of the agreement and also for other reliefs.

4. The learned counsel for the petitioner further submitted that the petitioners are ready to deposit Rs.30,000/- to the credit of Crime No.109 of 2015 without prejudice to the right in the criminal case.

5. The learned Government Advocate (Criminal Side) submitted that the defacto complainant is the owner of the property and the petitioners have caused damage to the tune of Rs.30,000/-.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners, on condition that the petitioners shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of Crime No.109 of 2015 before the learned Judicial Magistrate No.II, Virudhunagar within a period of two weeks and on receipt of the same the petitioners are entitled to be released on



bail in the event of arrest or on their appearance before the learned Judicial Magistrate No.II, Virudhunagar and on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required for interrogation. The petitioners shall comply with the conditions stipulated under Section 438 Cr.P.C. Scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-  
09/07/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO.II  
VIRUDHUNAGAR.

2 DO-THRO'THE CHIEF JUDICIAL MAGISTRATE  
VIRUDHUNAGAR AT SRIVILLIPUTHUR.

3 THE INSPECTOR OF POLICE  
AAVAIYUR POLICE STATION,VIRUDHUNAGAR DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI.

+1. CC to M/S.L.MADHUSUDHANAN Advocate SR.No.37544

ORDER  
IN  
CRL OP(MD) No.12821 of 2015  
Date :09/07/2015

PA/PRV/13.07.2015/2P/6C